

BEST AVAILABLE COPY**RECEIVED
CENTRAL FAX CENTER****AUG 24 2006****CERTIFICATE OF TRANSMISSION****Date of Transmission: 24 August 2006**

I hereby certify that the following correspondence is being facsimile transmitted to the attention of the Director of the US Patent and Trademark Office on the above date via the following facsimile number: 571-273-8300.

Petition to Withdraw Holding of Abandonment Under 37 CFR § 1.181(a) (3 sheets)
Exhibit A - "Change of Correspondence Address" (1 sheet)
Exhibit B - "Auto-Reply Facsimile Transmission" (1 sheet)
Exhibit C - "Notice of Allowance" (6 sheets)
Exhibit D - "Notice of Abandonment" (2 sheets)
Part B - Fee(s) Transmittal (PTOL-85) (1 sheet)
Change of Correspondence Address (1 sheet)

Application Number 09/819,555
Confirmation No.: 2618
Filing Date: 28 March 2001
Document Submission Date: 24 August 2006

Art Unit: 2664
Examiner: Shew, John
Inventor: Chiu, Angela L.

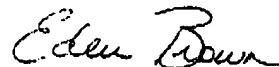
Docket: 1999-0784 (1014-135) **Pages: 16**

24 Aug 2006

Date

Eden Brown

Name of Certifier



Signature of Certifier

AUG 24 2006

PATENT

Application # 09/819,555

Attorney Docket # 1999-0784 (1014-135)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Chiu, Angela L.
Application # : 09/819,555
Confirmation # : 2618
Filed : 28 March 2001
Application Title : Method and Apparatus Communications Traffic Engineering
Art Unit # : 2664
Latest Examiner : Shew, John

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW**HOLDING OF ABANDONMENT UNDER 37 CFR § 1.181(a)**

In reply to the Notice of Abandonment mailed on 26 July 2006, the two month shortened statutory period for responding to which expires on 26 September 2006, Applicant respectfully petitions the Commissioner to withdraw the holding of abandonment.

Applicant submits the following statements supporting applicant's petition to withdraw the holding of abandonment.

1. On 31 August 2005, a Change of Correspondence Address associating the present application with customer number 26,652 (Exhibit A) was filed by Michael N. Haynes ("outside counsel") on behalf of AT&T Corp. for the present application.
2. On 31 August 2005, outside counsel received the Auto-Reply Facsimile Transmission (Exhibit B) confirming the USPTO's receipt of the Change of Correspondence Address for the present application.
3. Upon outside counsel's examination of the image file wrapper on Public PAIR on 9 August 2006, outside counsel became aware of the 11 January 2006 Notice of Allowance (Exhibit C) and the 26 July 2006 Notice of Abandonment (Exhibit D), both of which list

AUG 24 2006

PATENT

Application # 09/819,555

Attorney Docket # 1999-0784 (1014-135)

incorrect Customer Number 26,662.

4. On 9 August 2006, both the 11 January 2006 Notice of Allowance and the 26 July 2006 Notice of Abandonment were promptly forwarded by outside counsel, via e-mail, to AT&T Corp.
5. Consequently, until receipt of the 9 August 2006 e-mail from outside counsel, AT&T was unaware of the 11 January 2006 Notice of Allowance and the 26 July 2006 Notice of Abandonment.
6. Upon receipt of the 26 July 2006 Notice of Abandonment, AT&T Corp. promptly began an investigation of the situation, determined the above facts, and requested that outside counsel promptly prepare the attached Reply to Notice of Allowance, Part B - Fee(s) Transmittal, and this Petition.
7. Therefore, it has been determined that the 11 January 2006 Notice of Allowance and the 26 July 2006 Notice of Abandonment were not received by AT&T Corp. nor outside counsel prior to 9 August 2006, due to the USPTO's use of an incorrect customer number, and therefore the incorrect mailing address, on the 11 January 2006 Notice of Allowance and the 26 July 2006 Notice of Abandonment.

AUG 24 2006

PATENT

Application # 09/819,555

Attorney Docket # 1999-0784 (1014-135)

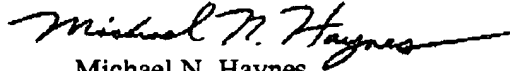
CONCLUSION

It is respectfully submitted that, in view of the foregoing statement, the Notice of Abandonment should be withdrawn, the attached Reply to Notice of Allowance and Part B - Fee(s) Transmittal should be accepted, and the application should be allowed to issue.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC



Michael N. Haynes
Registration No. 40,014

Date: 23 August 2006

1341 Huntersfield Close
Keswick, VA 22947
Telephone: 434-972-9988
Facsimile: 815-550-8850

AUG 24 2006

PTO/SB/122 (04-05)

Approved for use through 07/31/2006. OMB 0651-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**CHANGE OF
CORRESPONDENCE ADDRESS
Application**Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/819,865
Filing Date	28 March 2001
First Named Inventor	Chiu, Angela L.
Art Unit	2664
Examiner Name	Shaw, John
Attorney Docket Number	1999-0784 (1014-135)

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with
Customer Number:

26652

OR

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☐ Applicant/Inventor☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☒ Attorney or agent of record. Registration Number 40,014☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Signature

Typed or Printed
Name Michael N. Haynes

Date 31 August 2006

Telephone 434-972-9888

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

To: 571-273-8300

From: Eden

Pg 6/16 08/24/06 4:12 pm

USPTO

8/31/2005 1:51 PM PAGE 1/001 Fax Server

TO: Auto-reply fax to (815)301-3847

COMPANY:

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CENTRAL FAX CENTER

AUG 24 2006

Auto-Reply Facsimile Transmission



TO: Fax Sender at (815)301-3847

Fax Information

Date Received:

Total Pages:

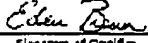
8/31/2005 1:46:58 PM [Eastern Daylight Time]

5 (including cover pag

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

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TO: 571-273-8300		FROM: EDEN		PG 1/5 08-31-05 12:46 PM EST	
CERTIFICATE OF TRANSMISSION					
Date of Transmission: 31 August 2005					
I hereby certify that the following correspondence is being facsimile transmitted to the attention of the Director of the US Patent and Trademark Office on the above date via the following facsimile number: 703-746-4000.					
PTOL-43 Part B - Fee(s) Transmitted (1 sheet)					
PTO/5B/122 Change of Correspondence Address Application (1 sheet)					
PTO/5B/17 Fee Transmittal Form (1 sheet)					
PTO-2050 Credit Card Payment Form (1 sheet)					
Application Number		08810,555		Art Unit: 2604	
Confirmation No.		2619		Examiner: Shew, John	
Filing Date:		28 March 2001		Inventor: Chiu, Angela L.	
Document Submission Date:		31 August 2005		Pages: 5	
Docket:		1999-0784 (1014-135)			
31 Aug 2005		Eden Brown			
Date		Name of Certifier		Signature of Certifier	
PAGE 16 * RCVD AT 8/31/2005 1:46:58 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-523 * DNS:2738300 * CSID:815-550-8850 * DURATION (mm-ss):07:34					

XU6 24 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22311-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

2442 7390 01/11/2006
ROBIN JOHN PECORA, ESQ., P.A.
204 EAST PRESTON STREET
BALTIMORE, MD 21202

EXAMINER

SHEW, JONEN

ART UNIT

PAPER NUMBER

2442

DATE MAILED: 08/11/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/19,555	03/28/2004	Angela L. Chiu	105820	2618

TITLE OF INVENTION: METHOD AND APPARATUS FOR COMMUNICATIONS TRAFFIC ENGINEERING

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	30	30	10	04/11/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-83B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Page 1 of 3

PTOL-85 (Rev. 07/05) Approved for use through 04/30/2007.

PAGE 7/16 * RCVD AT 8/24/2006 5:12:23 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-2/21 * DNIS:2738300 * CSID:815-550-8850 * DURATION (mm:ss):07:34

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Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Use this block for any change of address)

29461 7990 04/11/2006

ROBIN JOHN PECORA, ESQ., P.A.
204 EAST PRESTON STREET
BALTIMORE, MD 21202

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmitted. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmitted is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,455	03/28/2001	Angela L. Chiu	105820	2618

TITLE OF INVENTION: METHOD AND APPARATUS FOR COMMUNICATIONS TRAFFIC ENGINEERING

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEES DUE	DATE DUE
nonprovisional	NO	\$0	\$0	\$0	04/11/2006

EXAMINER	ART UNIT	CLASS SUBCLASS
SHEW, JOHN	2664	370-237000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-122) attached.
- ☐ "Fee Address" indication (or "Fee Address" indication form PTO/SB-122, Rev. 03-03 or more recent) attached. Use of a Customer Number is required.

2. Fee printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2036 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (complete an exact copy of this form).

5. Change in Small Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the base Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The base Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is required to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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AUG 24 2006



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22314-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,555	03/28/2001	Angela L. Chiu	105820	3618

26462	7590	08/11/2006
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ROBIN JOHN PECORA, ESQ., P.A.
204 EAST PRESTON STREET
BALTIMORE, MD 21202

EXAMINER
GHEW, JOHN

ART UNIT	PAPER NUMBER
2664	

DATE MAILED: 01/11/2006

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 860 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 860 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

09/819,555

Examiner

John L. Shaw

Applicant(s)

CHU ET AL

Art Unit

2684

~ The MAILING DATE of this communication appears on the cover sheet with the correspondence address. All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP §306.

1. ☒ This communication is responsive to Information Disclosure Statement of 09/13/2005.

2. ☒ The allowed claim(s) is/are 1-31.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ Including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB08),
Paper No./Mail Date 09/13/2005

4. ☐ Examiner's Comments Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.

7. ☐ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

Application/Control Number: 09/819,555

Page 2

Art Unit: 2664

DETAILED ACTION

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AUG 24 2006

Allowable Subject Matter

1. Claims 1-31 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art search did not disclose a method for routing traffic links to selectively offload traffic from congested portions through identification of congestion by a predetermined maximum link utilization parameter wherein the maximum link utilization is associated with all of the links and a bandwidth that is below a maximum capacity of the link.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Application/Control Number: 09/819,555

Page 3

Art Unit: 2664

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Shew whose telephone number is 571-272-3137. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


js
Ajit Patel
Primary Examiner


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 400
 Alexandria, Virginia 22313-4000
 (571) 273-8300

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,555	03/23/2001	Angela L. Cole	105820	2911

21463 7590 07/26/2006

ROBIN JOHN PECORA, ESQ., P.A.
 204 EAST PRESTON STREET
 BALTIMORE, MD 21202

EXAMINER	
SHEW, ROSE	

ART UNIT	PAPER NUMBER
3610	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

09/819,555

Applicant(s)

CHIU

Examiner

Art Unit

SHEW

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.19 is \$_____. The publication fee, if required by 37 CFR 1.16(d), is \$_____.
 - (c) ☒ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

ZC

Patenters to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,355	03/28/2001	Angela L. Chiu	105830	2678

TITLE OF INVENTION: METHOD AND APPARATUS FOR COMMUNICATIONS TRAFFIC ENGINEERING

APPLN TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$0	\$0	\$0	04/11/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHEW, JOHN	2664	370-237000

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Michael Haynes PLC
Michael N. Haynes
Dale B. Jensen

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assigner is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

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(B) RESIDENCE: (CITY and STATE OR COUNTRY)

AT+T Corp.

New York, New York

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- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or so re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date 24 August 2006

Typed or printed name

Michael N. Haynes

Registration No.

40,014

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Application Number	09/819,565
Filing Date	28 March 2001
First Named Inventor	Chiu, Angela L.
Art Unit	2864
Examiner Name	Shaw, John
Attorney Docket Number	1999-0784 (1014-135)

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Signature

Typed or Printed
Name Michael N. Haynes

Date 31 August 2006

Telephone 434-972-9988

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